

**JUDGE ROAN TELLS  
SOLICITOR HE  
WILL  
POSTPONE  
HEARING**

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Dorsey Notified That  
Presence

Will Be Waived  
Saturday,

Date for New Hearing  
on

# Frank New Trial Motion

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HEARING DATE LIKELY  
TO BE SATURDAY  
WEEK

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In Meantime Machinery  
Is

Clogged in Superior  
Courts

of Two Circuits and in  
Court

of Appeals

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Judge L. S. Roan, of the Stone Mountain circuit, on Thursday notified Solicitor General Hugh M. Dorsey that he would be granted the additional time needed to complete his preparation of the state's answer to the motion for a new trial for Leo M. Frank, convicted of the Mary Phagan murder.

Solicitor Dorsey is now at Valdosta, and Judge Roan notified him that the counsel for the defense would waive his presence in the judge's chambers Saturday to make the formal request for a postponement of the hearing. This means that Mr. Dorsey, with his assistant, E. A. Stephens, will remain in the south Georgia city, working on the Frank motion, during next week.

While no date is named, Solicitor Dorsey is generally expected to be ready with his answer by Saturday week, when possibly the motion will be argued.

### COURTS ARE CLOGGED.

The effect of the Frank delay on the judicial situation is still an open question.

The superior courts of two circuits and the court of appeals are all awaiting action in the Frank case.

On next Monday a number of cases are set for argument before the court of appeals. If Judge Ben H. Hill sits with his two colleagues on these cases it may be a number of weeks before the decisions are rendered, and that would delay his taking his seat as the fourth judge of the Atlanta circuit.

If Judge Hill resigns and Judge Roan takes his place in the court of appeals, then the latter will be disqualified to pass on the Frank motion.

In the meantime the courts throughout the Stone Mountain circuit are getting behind with their business. Solicitor Reid is not doing any business with his grand juries for the reason that in every case where he draws a bill of indictment he will be disqualified as a Judge when he succeeds to Judge Roan's place.

## NO SESSION IN ATLANTA CIRCUIT.

Judge Roan does not want to hear any cases now pending in the Stone Mountain circuit for the reason that he is qualified as a judge of the court of appeals to pass upon any case originally tried before him.

In the Atlanta circuit, even if Judge Roan or Judge Hill could preside, there could be no session of the criminal division of the court, with Dorsey and Stephens both devoting all their time to the preparation of the Frank motion.

The judges themselves profess not to know what course will be pursued, but it still seems probable that there will be no changes until the Frank motion is settled, which will probably not be within the next fifteen days, for it will take some time to hear the arguments in it.

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# Trip for Chief Beavers

Chief of the Police Beavers will go to Cincinnati Thursday afternoon in response to an invitation of the chief of the Cincinnati police to witness the parade of the Cincinnati police Friday, Chief Beavers will return next week.

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# **BEAVERS MAKES WAR ON TRAFFIC OBSTRUCTIONS**

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Issues Order for  
Policeman to

Require Lumber  
and

Debris  
Removed

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Police Chief Beavers Wednesday afternoon started a crusade against obstructions to traffic by issuing an order to the men of the evening watch to serve notice on all persons having lumber, debris, etc. piled in the street to move the same at once, and to make cases in the recorder's court for failure thereof.

The order was the result of a conference between the chief and Councilman Orville H. Hall, chairman of the street committee of council, who called the former's attention to the fact that traffic in the very heart of the city is seriously hampered, in many cases by obstructions which are unnecessary.

It used to be the city law that contractors must obtain permits from council before erecting barriers on the streets. A year or so ago that law was changed in the interest of the contractors, so that they might, between council meetings, obtain permits by the joint consent of the mayor, the chairman of the street committee and the chief of construction.

Councilman Hall is now preparing to make a fight in council to return to the old law, because it seems to him that the contractors are abusing the privilege which council granted them, often erecting their barriers and then applying for the permits. The councilman believes there is plenty of time for contractors to get their permits first, and erect the barriers afterward.

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